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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,439	08/20/2003	Timothy Alan Hegemier	60680-1801	7021

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EXAMINER

TOLAN, EDWARD THOMAS

ART UNIT

PAPER NUMBER

3725

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

C

Office Action Summary	Application No.	Applicant(s)	
	10/644,439	HEGEMIER, TIMOTHY ALAN	
	Examiner	Art Unit	
	Tolan Edward	3725	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,4 and 6-9 is/are rejected.
- 7) ☒ Claim(s) 2,5 and 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,3,4 and 6-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Helfman (4,942,752). Helfman discloses a tool body (23,24), a tightening nut (26,28,27,29) disposed about a portion of the tool body, four rollers having raised threads (13,14,16,17), a handle (26,27) for rotating the rollers and bushings (17,18,19,21). Helfman discloses in column 4, lines 14-16 that the rollers are hardened. The tool is capable of making grooves in cylindrical objects.

In column 3, lines 23-30 Helfman discloses that the handles are shouldered at (28,29) and are in threaded engagement with the tool body in order to tighten the tool body.

Claims 1 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Hollencamp (3,815,397). Hollencamp discloses a tool body (10), a tightening nut (13) disposed about a portion of the tool body, rollers (20) and means for rotating the rollers (11). The tool is capable of forming a tapered groove on a cylindrical workpiece. The tool is positioned over a workpiece (27) and a set screw (14) is tightened to secure the nut (13) about the tool body (10).

Allowable Subject Matter

Claims 2,5 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The prior art of record does not disclose a longitudinally extending relief hole for allowing the tool to be disposed about a valve guide while a cylinder head is mounted to an engine. The prior art of record does not disclose that the tool body includes a tapered portion to allow the tool to be inserted into a valve spring pocket.

Response to Arguments

Applicant's arguments, filed 1-24-2005, with respect to the rejection(s) of claim(s) 1,2,5,6,9 and 10 under Long (5,937,684) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Helfman and Hollencamp.

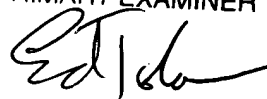
Both Hollencamp and Helfman use tightening systems to position rollers about a workpiece in order to roll the workpiece. In the Examiner's opinion, Applicant's invention is the ability of the tool (because of the relief hole and tapered tool body) to groove a valve guide while a cylinder head is mounted on an engine, without claim language setting forth claim limitations directed to the relief hole and tapered body which allow the tool to work in the stated environment the claims are read on tools for working on cylindrical workpieces.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication should be directed to Ed Tolan whose telephone number is 571-272-4525.

ED TOLAN
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read 'Ed Tolan', written over the printed name and title.